

1983 Form

In the United States District Court  
For the Northern District of Alabama

FILED

2017 OCT -2 P 12:46

U.S. DISTRICT COURT  
N.D. OF ALABAMAJAMAL WILSONADOC AIS # 253963(Enter above the full name(s) of the  
plaintiff(s) in this action)

7:17-cv-01701-VEH-TMP

v

DR. DAVID PAVLAKOVIC,NURSE SHARON KURT,HSA PATSY CLABO, ET AL(Enter above full name(s) of the  
defendant(s) in this action)

## I. Previous lawsuits

- A. Have you begun other lawsuits in state or federal court(s) dealing with the same facts involved in this action or otherwise relating to your imprisonment? Yes ( ) No ☒
- B. If your answer to A. is "yes", describe each lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuit(s) on another piece of paper, using the same outline.)

## 1. Parties to this previous lawsuit

Plaintiff(s): N/ADefendant(s) N/A

## 2. Court (if Federal Court, name the district; if State Court, name the county)

N/A3. Docket Number N/A

## 4. Name of judge to whom case was assigned \_\_\_\_\_

5. Disposition (for example: Was the case dismissed? Was it appealed? Is it still pending?)

N/A

6. Approximate date of filing lawsuit N/A

7. Approximate date of disposition N/A

II. Place of present confinement BIBB COUNTY CORR. FACILITY BRENT, AL 35034

- A. Is there a prisoner grievance procedure in this institution?

Yes ☒ No ☐

- B. Did you present the facts relating to your complaint in the state prisoner grievance procedure?

Yes ☒ No ☐

- C. If your answer is YES:

1. What steps did you take? FILED MEDICAL GRIEVANCE ON FEBRUARY 22, 2017.

2. What was the result? NO RESPONSE FROM ANY OF THE ABOVE-NAMED DEFENDANTS.

- D. If your answer is NO, explain why not? N/A

III. Parties

In item A below, place your name(s) in the first blank and place your present address in the second blank. Do the same for additional plaintiffs, if any.

- A. Name of plaintiff(s) JAMAL WILSON, AL AIS # 253963

Address 565 BIBB LANE BRENT, ALABAMA 35034

In Item B below, place the full name of the defendant in the first blank, his official position in the second blank, and his place of employment in the third blank. Use Item C for the names, positions, and places of employment of any additional defendants.

B. Defendant DR. DAVID PAVLAKOVIC,  
 is employed as PRISON PHYSICIAN  
 at BIBB COUNTY CORRECTIONAL FACILITY

C. Additional Defendants NURSE SHARON KURT,  
HEALTH SERVICES ADMINISTRATOR PATSY CLABO, ET AL

#### IV. Statement of Claim

State here, as briefly as possible, the FACTS of your case. Describe how each defendant is involved. Include, also, the names of other persons involved, dates and places. *Do not give any legal arguments or cite any cases or statutes.* If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Use as much space as you need. Attach extra sheets, if necessary.

01) ON FEBRUARY 3, 2017, AT OR AROUND 10:30 P.M., INMATE WILSON  
HAD AWAKENED TO SEVERE, YET UNEXPLAINABLE PAIN IN THIS GROIN AREA.  
AT THAT TIME, WILSON SUSPECTED THIS PAIN WAS ASSOCIATED WITH A HERNIA  
WHICH FLARED UP. MOMENTS FOLLOWING, WILSON WALKED TO THE ENTRANCE  
OF BCCF'S DORM A1 TO SEEK MEDICAL ATTENTION FROM DORM A1'S  
ASSIGNED CUBICLE OFFICER, ADOC CO1 BARR. THIS WAS THE INITIAL  
ATTEMPT; ACCORDINGLY, THERE WAS NO ANSWER FROM BCCF'S HEALTH  
CARE UNIT (HCU). BECAUSE OF THIS FAILURE TO RESPOND TO WILSON'S  
EMERGENCY NEED, HE WAS SUBSEQUENTLY FORCED TO RETURN TO HIS BUNK  
IN DORM A1, AND WAS FORCED TO ENDURE UNBEARABLE PAIN FOR THE  
EVENING.



- 03) LATER ON THAT SAME DATE, WILSON WAS AWAKENED BY OTHER ADOC INMATES IN THE SAME HOUSING UNIT OF DORM A1, WHOM ASKED WILSON IF HE WAS OKAY. WILSON INFORMED SAID INMATES THAT HE WAS EXTREMELY ILL, AND IN TREMENDOUS PHYSICAL PAIN. AFTER WILSON PLEADED WITH THE INMATES TO SUMMON HELP, ONLY THEN WAS A WHEELCHAIR DISPATCHED FROM HCU TO RETRIEVE WILSON. HOWEVER, DESPITE THAT WILSON WAS TAKEN TO HCU, MOMENTS LATER, HE WAS RETURNED TO HIS DORM AND WAS FORCED TO ENDURE THE SAME LEVEL OF PAIN AS BEFORE.
- 04) FOLLOWING WILSON'S RETURN TO DORM A1, ADOC CO1 SEWELL ASKED WILSON WHETHER WILSON RECEIVED ADEQUATE MEDICAL CARE; WILSON INFORMED OFFICER SEWELL THAT HE DID NOT. ONCE BACK INSIDE THE DORM, WILSON WAS ONCE AGAIN FORCED TO LAY DOWN IN THE SHOWER STALL AS BEFORE. DURING THIS TIME, WILSON REMAINED IN GREAT PAIN, AND EVEN PRAYED TO HIMSELF HE WOULD NOT DIE.
- 05) LATER, WHILE WILSON CONTINUED TO LAY ON THE FLOOR OF THE SHOWER STALL, A GROUP OF ADOC OFFICERS, CO1 SEWELL, SERGEANT BENNETT, LIEUTENANT MAURICE, AND CO1 HARRIS ENTERED INTO DORM A1 TO SEE WILSON. DESPITE THE FACT THAT ALL ADOC OFFICERS AT THAT TIME HAD PERSONALLY WITNESSED WILSON'S GRAVE CONDITION, NEITHER ONE SUMMONED FOR MEDICAL ATTENTION.
- 06) ON THE EVENING OF THAT SAME DATE, AT OR AROUND 9:00 P.M., WILSON BEGAN TO VIOLENTLY VOMIT STOMACH ACID REPEATEDLY, AND HIS PAIN FURTHER INTENSIFIED. AT THAT TIME, THE INMATES INSIDE DORM A1 WENT TO SUMMON HELP. FOLLOWING THIS, ADOC SGT. MONK CAME TO SAID DORM, ALONG WITH A MEDICAL INMATE RUNNER WITH A WHEELCHAIR ONCE WILSON WAS RETURNED TO HCU, AND WHILE HE WAITED ALONGSIDE ADOC CO1 DICKERSON, WILSON CRIED OUT IN ENORMOUS PAIN AS HE CONTINUED TO VOMIT UNCONTROLLABLY.
- 07) DURING THIS TIME, THE HCU NURSES ON DUTY DELAYED ANY IMMEDIATE MEDICAL HELP. EVENTUALLY, NURSE JOHNSON NOTIFIED DR. PAVLAKOVIC, ALL THE WHILE NURSE BELVINS PERSONALLY WITNESSED WILSON VOMIT UP GREEN BILE. MOMENTS LATER, JOHNSON TOLD WILSON TO LAY IN AN HCU INFIRMARY BED UNTIL PAVLAKOVIC CAME IN TO EXAMINE WILSON.
- 08) ON FEBRUARY 5, 2017, AT OR AROUND 5:00 A.M., WILSON WAS AWAKENED TO HEAR PAVLAKOVIC PERSONALLY TO OTHER HCU PATIENTS DURING A MORNING ROUND. WILSON BELIEVED AT FIRST THAT PAVLAKOVIC WOULD EVENTUALLY EXAMINE HIM, YET PAVLAKOVIC DID NOT WHEREAFTER THE PHYSICIAN LEFT. FOLLOWING THIS, ADOC CO1 CUTTS JR. INFORMED WILSON THAT HE WAS TO RETURN TO DORM A1. AS WILSON WAS BEING DISCHARGED FROM HCU HE ASKED A NURSE WHY PAVLAKOVIC DID NOT EXAMINE HIM. THE NURSE, IN TURN, CLAIMED THAT PAVLAKOVIC LOOKED INTO WILSON'S MEDICAL FILE, AND HAD ALLEGEDLY ARRANGED FOR AN APPOINTMENT FOR FEBRUARY 7, 2017 — TWO DAYS AWAY.

- 09) LATER, ON THE SAME DATE OF FEBRUARY 5, 2017, WILSON WAS RETURNED TO DORM A1. ONCE THERE, HE WAS AGAIN FORCED TO LAY DOWN IN THE SHOWER STALL. AT OR AROUND 7:00 P.M. DURING BCCF'S INSTITUTIONAL "COUNT TIME", SGT. WHITE ENTERED INTO WILSON'S BAY TO CONDUCT THE INMATE COUNT. UPON PERSONALLY WITNESSING WILSON VOMITING, WHITE ASKED ANOTHER INMATE WHAT WAS WRONG WITH WILSON. AFTER THE INMATE NOTIFIED WHITE ABOUT WILSON'S ONGOING ILLNESS AND PAIN, WHITE INSTRUCTED WILSON TO GET BACK WITH HIM ONCE THE "COUNT CLEARED."
- 10) FOLLOWING THE INSTITUTIONAL COUNT CLEARING, SGT. WHITE SENT WILSON BACK TO THE HCU. AS BEFORE, NONE OF SAID MEDICAL STAFF DID ANYTHING CONCERNING ADEQUATE HEALTH CARE FOR WILSON'S SERIOUS CONDITION. AT THAT TIME, WILSON LEFT HCU WHEREAFTER HE WENT TO COMPLAIN TO ADOC LIEUTENANT FIKES. UPON SHOWING FIKES THE HERNIA, SHE DIRECTED WILSON TO RETURN TO HCU AND WAIT FOR HER ARRIVAL THERE. BY THIS TIME, IT WAS DURING THE EARLY MORNING HOURS OF FEBRUARY 6, 2017.
- 11) WILSON INFORMED LIEUTENANT FIKES ABOUT THE NEGLIGENCE INVOLVING HCU PERSONNEL, AND OF THE FUTILITY OF SIMPLY WAITING AT HCU. WILSON THEN TOLD FIKES THAT HE NEEDED TO LAY DOWN BACK AT HIS ASSIGNED DORM DUE TO THE AMOUNT OF PAIN HE WAS IN. FIKES, IN TURN, TOLD WILSON TO RETURN TO DORM A1 WHEREBY SHE WOULD LATER GO VISIT HIM. AFTER WILSON RETURNED TO HIS DORM, HE BEGAN TO AGAIN VOMIT GREEN-COLORED BILE THAT THIS TIME WAS MIXED WITH BLOOD. WHILE WILSON LAID DOWN IN THE SHOWER STALL, DESPITE THAT FIKES HAD ASSURED HIM SHE WOULD LATER CHECK ON HIM, SHE NEVER ARRIVED. AND AFTER ANOTHER INMATE HAD NOTIFIED ADOC SGT. FELDER ABOUT WILSON'S CIRCUMSTANCES, FELDER SHRUGGED HIS SHOULDERS INDICATING HE WAS NOT GOING TO GET INVOLVED.
- 12) ON THE SAME DATE OF FEBRUARY 6, 2017, WILSON CONTINUED TO SUFFER FROM THE PAIN. AT OR AROUND 10:30 P.M., WILSON WAS AGAIN RETURNED TO HCU. FOLLOWING HIS ARRIVAL, BOTH NURSE RUSH AND CO1 CUTTS JR., PERSONALLY WITNESSED WILSON VOMITING GREEN BILE, MIXED WITH HIS BLOOD. AFTER THIS, NURSE RUSH STATED THAT THIS TIME SHE WAS NOT GOING TO WASTE ANY FURTHER EFFORTS AT CONTACTING DR. PAVLAKOVIC. INSTEAD, SHE BEGAN TO MAKE EMERGENCY ARRANGEMENTS TO HAVE WILSON TRANSPORTED TO BROOKWOOD MEDICAL CENTER AT BIRMINGHAM, ALABAMA.
- 13) FOLLOWING BCCF'S INSTITUTIONAL COUNT TIME/BED ROSTER, WILSON WAS TRANSPORTED TO BROOKWOOD. UPON ARRIVING THERE, THE ATTENDING PHYSICIAN TRIED TO REDUCE THE HERNIA. IMMEDIATELY AFTER WILSON SCREAMING OUT IN PAIN, THE BROOKWOOD PHYSICIAN ORDERED FOR EMERGENCY SURGERY TO BE PERFORMED. AFTER SURGERY WAS COMPLETED, WILSON FOUND THREE SURGICAL INCISIONS THAT HAD BEEN PLACED. ADDITIONALLY, ADOC CO1 BARR, WHO WAS PRESENT, AND HAD BEEN ASSIGNED TO GUARD WILSON, INFORMED WILSON THAT, ACCORDING TO THE ATTENDING PHYSICIAN, HE WAS FORTUNATE TO BE ALIVE.
- 14) WILSON REMAINED AT BROOKWOOD FOR POST-SURGERY RECOVERY, AND WAS NOT DISCHARGED UNTIL FEBRUARY 8, 2017. UPON RETURN TO BCCF ON SAME DATE, WILSON WAS ADMITTED INTO THE PRISON'S HCU. HOWEVER, IN SPITE OF THE SEVERE PAIN HE WAS FORCED TO ENDURE, THE

- 14) SEVERE PAIN IN THIS INSTANCE WAS BASED ON THE FACT THAT SAID HCU REFUSED TO PROVIDE ADEQUATE MEDICATION NEEDED TO COUNTER SUCH EXTREME DISCOMFORT FOLLOWING MAJOR SURGERY.
- 15) OF DATE, WILSON HAS MADE REPEATED VISITS TO HCU, AND YET NOTHING IS BEING DONE TO ALLEVIATE THE PAIN. INSTEAD, HCU REPEATEDLY CHARGES WILSON \$4.00 PER VISIT.